



Leicester
City Council

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: Wednesday, 21 August 2024 at 5:30 pm

P R E S E N T :

Councillor Aldred (Chair)

Councillor Bonham
Councillor Cassidy
Councillor Gopal

Councillor Halford
Councillor Modhwadia
Councillor Mohammed

Councillor Dr Moore
Councillor Singh Patel

* * * * *

1 APOLOGIES FOR ABSENCE

Councillor Aldred, as Chair, welcomed those present and led on introductions.

Apologies were received from Councillors Joel, Kennedy-Lount, Kitterick and Surti.

Councillor Bonham and Councillor Halford were noted to be in attendance as substitutes for Councillor Surti and Councillor Joel.

2 DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda.

Councillor Mohammed declared that the first application regarding 62 Evington Valley Road, resided in his ward but maintained an open mind.

Councillor Bonham declared that he had been involved in discussions regarding items on the agenda but maintained an open mind.

Councillor Aldred declared that she had received an email regarding 62 Evington Valley Road, but maintained an open mind.

3 PLANNING APPLICATIONS AND CONTRAVENTIONS

The Chair noted that the items would be taken according to the order listed on the agenda.

(i) 20240579 62 EVINGTON VALLEY ROAD

20240579 - 62 Evington Valley Road, Unit 14 Ground Floor

Ward: Stoneygate

Proposal: Retrospective application for change of use of the ground floor from religious, education and community use (Use Class F2) to wedding and events venue (Sui generis), external alterations to the front facade

Applicant: Mr Salman Patel

The Planning Officer presented the report.

Mr George Weightman, on behalf of the application, addressed the Committee and spoke in support of the application.

Mr Miah and Mr Azeem addressed the Committee and spoke in opposition to the application.

Members of the Committee considered the application and Officers responded to questions and queries raised by the Committee.

The Chair summarised the application and points raised by Committee Members and moved that in accordance with the Officer recommendation and the addendum report, the application be approved, subject to conditions as suggested in the addendum report. This was seconded by Councillor Cassidy, and upon being put to the vote, there were 4 Members of the Committee who voted to support the application and 4 Members of the Committee that voted to reject the application. Following the Chairs casting vote, the motion was CARRIED.

RESOLVED: That the application be APPROVED subject to the conditions set out below:

CONDITIONS

1. Within 6 months of the date of this consent, all parking areas shall be surfaced and marked out in accordance with details shown on plan 1195-MPD-XX-ZZ-DR-A-1101 revision P02 received by the City Council as Local Planning Authority on 16 May 2024, and shall be retained for parking and not used for any other purpose. (To ensure that parking can take place in a satisfactory manner, and in accordance with saved policy AM11 of the City of Leicester Local Plan and Core Strategy policies CS03, CS14 and CS15.)
2. The use shall not be carried on (except preparation of events and cleaning/taking down after the events) outside the hours of 0800-2300 Monday to Saturday and 0900-2100 on Sundays. (In the interests of the

amenities of nearby occupiers, and in accordance with policy PS10 of the City of Leicester Local Plan.)

3. The use shall only operate in accordance with the details shown in the Noise Management Plan received by the City Council as local planning authority on 24 July 2024. (In the interests of the residential amenity of the occupiers of nearby properties and in accordance with saved policy PS10 of the City of Leicester Local Plan.)
4. Development shall be carried out in full accordance with the following approved plans:
Proposed Elevations, 1195-MPD-XX-ZZ-DR-A-1400, rev P02 received 16 May 2024
Proposed Ground Floor Plan, 1195-MPD-XX-ZZ-DR-A-1200, rev P02 received 16 May 2024
Location Plan and Proposed Site Plan, 1195-MPD-XX-ZZ-DR-A-1101 rev P02, received 16 May 2024
(For the avoidance of doubt).

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process and pre-application.
The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2023 is considered to be a positive outcome of these discussions.

(ii) 20240386 42 SOUTHERNHAY ROAD

20240386 - 42 Southernhay Road

Ward: Knighton

Proposal: Demolition of existing dwelling; construction of detached two storey dwelling (6 beds) (Class C3)

Applicant: Mr Dhillon

The Planning Officer presented the report.

Ms Domin addressed the Committee and spoke in objection to the application.

Councillor Whittle addressed the Committee and spoke in opposition to the application.

Members of the Committee considered the report and Officers responded to the comments and queries raised.

The Chair summarised the application and the points raised by Members of the Committee and moved that in accordance with the Officers recommendation, the application be approved subject to the conditions set out in the report. This was

seconded by Councillor Mohammed and upon being put to the vote, the motion was CARRIED.

RESOLVED: That the application be APPROVED subject to the conditions set out below:

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. Prior to works above ground level, the proposed bricks to be used on all external elevations shall be submitted to and approved by the City Council as local planning authority. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03).
3. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to any dwelling house of types specified in (amend as necessary e.g. Part 1, Classes A, B, and E of) Schedule 2 to that Order shall be carried out without express planning permission having previously been obtained. (Given the nature of the site, the form of development is such that work of these types may be visually unacceptable or lead to an unacceptable loss of amenity to occupiers of neighbouring properties; and in accordance with policy PS10 of the City of Leicester Local Plan).
4. Before the occupation of the proposed extension new windows facing 40 and 44 Southernhay Road shall be fitted with sealed obscure glazing to Pilkington level 4 or 5 (or equivalent) (with the exception of top opening light) and retained as such. (In the interests of the amenity of occupiers of 40 and 44 Southernhay Road and in accordance with policy PS10 of the City of Leicester Local Plan).
5. Prior to the commencement of development full details of the Sustainable Drainage System (SuDS) together with implementation, long term maintenance and management of the system shall be submitted to and approved by the local planning authority. No flat/property shall be occupied until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include: (i) full design details, (ii) a timetable for its implementation, and (iii) a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the system throughout its lifetime. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy). (To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

6. Prior to the commencement of development details of drainage, shall be submitted to and approved by the local planning authority. No flat/property shall be occupied until the drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy). (To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
7. Prior to any works above ground level, a detailed landscape and ecological management plan (LEMP) showing the treatment and maintenance of all parts of the site which will remain unbuilt upon shall be submitted to and agreed in writing with the City Council as local planning authority. This scheme shall include details of: (i) the position and spread of all existing trees, shrubs and hedges to be retained or removed; (ii) new tree and shrub planting, including plant type, size, quantities and locations; (iii) means of planting, staking, and tying of trees, including tree guards; (iv) other surface treatments; (v) fencing and boundary treatments (vi) any changes in levels; (vii) the position and depth of service and/or drainage runs (which may affect tree roots), (viii) a detailed plan of the biodiversity enhancements on the site including a management scheme to protect habitat during site preparation and post-construction, and (ix) specifications of 1 x Sparrow terrace nest boxes, 1 x bird nest box 1 x bat box, and their locations in the application site. The approved LEMP shall contain details on the after-care and maintenance of all soft landscaped areas and be carried out within one year of completion of the development. For a period of not less than 30 years from the date of planting, the applicant or owners of the land shall maintain all planted material. This material shall be replaced if it dies, is removed or becomes seriously diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme. (In the interests of amenity, and in accordance with policy UD06 of the City of Leicester Local Plan and Core Strategy policy CS03, and CS17 Biodiversity).
8. The development shall be carried out in accordance with the recommendation outlined in the tree protection plan received by the city council as local planning authority on the 26th February. (In the interest of biodiversity and in accordance with Core Strategy policy CS17, saved policy UD06 of the 2006 Local Plan and paragraph 136 of the National Planning Policy Framework 2023).
9. Notwithstanding condition 7, development shall be carried out in accordance with the following approved plans:
2024/02/33, pages 1 to 12 received 26 February 2024
(For the avoidance of doubt).

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any

representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and/or pre-application).

The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2023 is considered to be a positive outcome of these discussions.

2. Any development where surface water runoff will be managed through discharge into a public sewer will require approval from Severn Trent Water (STW). It is recommended that STW are consulted regarding the proposed connection. An application for connection will need to be completed and submitted to STW once planning approval is granted. Where indirect drainage connections are proposed (within private land) as part of a development, the two following steps must be completed:
 - Approval from Severn Trent Water (STW) must be obtained for an indirect connection.
 - Permission must be obtained from the affected Landowner(s) for any works to take place in their land and for the connection to be made into their private sewer network. It is recommended that legal advice is sought to secure an appropriate agreement. Any disputes regarding this are considered neighbour disputes.
3. All foundations, gutters and downpipes should be wholly within the application site. No permission is granted for development on, above or under any adjacent property outside the ownership of the applicant. The applicant may need to enter into a Party Wall Agreement.
4. Condition 3 refers to alterations/extensions that you are normally allowed to carry out to houses without planning permission. In this case the City Council wants to be able to control any alterations and extensions to preserve the appearance of the property or protect the amenities of neighbouring properties. You should submit a pre-application enquiry on our website if you are considering such works.

(iii) 20240612 23 MERTON AVENUE

20240612 - 23 Merton Avenue

Ward: Fosse

Proposal: Replacement of timber windows and doors to UPVC windows and doors at rear of dwellinghouse (Class C3)

Applicant: Mrs Rakhi Ward

The Planning Officer presented the report.

Members of the Committee considered the application and Officers responded to questions and queries raised by the Committee.

The Chair summarised the application and moved that in accordance with the Officer recommendation, that the application be approved. This was seconded by Councillor Halford, and upon being put to the vote, the motion was CARRIED.

RESOLVED: That the application be APPROVED subject to the conditions set out below:

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. The development shall be carried out in accordance with the approved external materials and details and retained as such. This should include:
 - Vertical sliding sash windows, 'bottom smaller window', and 'Patio door' (as described in the proposed elevation plans) shall be upvc with a cream woodgrain effect shall be upvc with a cream woodgrain effect: and
 - 'Kitchen door (as labelled in the proposed elevation plans) to be upvc with a Chartwell Green (or similar) woodgrain effectas shown in the proposed elevations 'proposed windows and doors' received on the 2nd April 2024. (In the interests of visual amenity, and to preserve the character of St Paul's Conservation Area in accordance with Core Strategy policy CS03.)

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and/or pre-application).
The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2023 is considered to be a positive outcome of these discussions.

(iv) 20240332 288 EVINGTON ROAD

20240332 - 288 Evington Road

Ward: Stoneygate

Proposal: Demolition of conservatory; construction of two storey extension at side; dormer at rear of house (Class C3); alterations (Amendments received)

Applicant: Mr Peter Soulsby

The Planning Officer presented the report.

Members of the Committee considered the report and Officers responded to the comments and queries raised.

The Chair summarised the application and the points raised by Members of the Committee and moved that in accordance with the Officers recommendation, the application be approved subject to the conditions set out in the report. This was seconded by Councillor Halford and upon being put to the vote, the motion was CARRIED.

RESOLVED: That the application be APPROVED subject to the conditions set out below:

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. The external elevations shall be constructed in materials to match those existing. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03.)
3. The development shall be carried out in accordance with the recommendation outlined in Section 7 of the supplied tree survey and report and the tree protection plan received by the city council as local planning authority on the 19th February. (In the interest of biodiversity and in accordance with Core Strategy policy CS17, saved policy UD06 of the 2006 Local Plan and paragraph 136 of the National Planning Policy Framework 2023).
4. The development shall be carried out in accordance with the recommendation outlined in appendix 01 of the approved Preliminary Bat Roost Assessment received by the Local Planning Authority on 29 July 2023. Should the development not be carried out within 24 months of the original report then a repeat survey shall be carried out and submitted to and agreed in writing with the City Council as local planning authority. (In the interest of biodiversity and in accordance with Core Strategy policy CS17 and section 15 of the National Planning Policy Framework 2023).
5. Prior to the commencement of development full details of the Sustainable Drainage System (SuDS) together with implementation, long term maintenance and management of the system shall be submitted to and approved by the local planning authority. The extension shall not be occupied until the system has been implemented. It shall thereafter be managed and maintained in accordance with the approved details. Those details shall include: (i) full design details, (ii) a timetable for its implementation, and (iii) a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the system throughout its lifetime. (To reduce surface water runoff and to secure other related benefits in accordance with policy CS02 of the Core Strategy). (To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).

6. Prior to the commencement of development detailed measures of flood proofing/resilience techniques shall be submitted to and approved by the local planning authority. The details shall be incorporated in accordance with the National Planning Policy Guidance (NPPG) "Preparing a flood risk assessment: Standing Advice" to conduct a suitable self-assessment of flood risk. The proposed extension shall not be occupied until the measures have been implemented in accordance with the approved details. It shall be retained and maintained thereafter. (To minimise the risk of damage in times of flooding, and in accordance with policy CS02 of the Core Strategy). (To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
7. No part of the development shall be occupied until the drainage has been installed in accordance with the approved details. It shall be retained and maintained thereafter. (To ensure appropriate drainage is installed in accordance with policy CS02 of the Core Strategy).
8. The development shall be carried out in accordance with the approved plans:
Proposed Extension and Sections A-A & B-B, received 11th June 2024
Tree Protection Plan 01, received 19th February 2024
Tree Survey and Constraints Plan 01, received 19th February 2024
Proposed Plans, received 19th February 2024
(For the avoidance of doubt).

NOTES FOR APPLICANT

1. The City Council, as local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant during the process (and/or pre-application).
The decision to grant planning permission with appropriate conditions taking account of those material considerations in accordance with the presumption in favour of sustainable development as set out in the NPPF 2023 is considered to be a positive outcome of these discussions.
2. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permissionFor further guidance please visit <https://www.gov.uk/guidance/flood-risk->

activities-environmental-permits or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

4 ANY URGENT BUSINESS

There being no further urgent business, the meeting closed at 19:47pm.